

THE BOARD OF COMMISSIONERS OF THE COUNTY OF CRAVEN MET IN REGULAR SESSION AT THE BRINSON MEMORIAL ELEMENTARY SCHOOL CAFETERIA, 319 NEUSE FOREST AVENUE, NEW BERN, NORTH CAROLINA, ON MONDAY, MARCH 5, 2012. THE MEETING CONVENED AT 7:00 P.M.

MEMBERS PRESENT:

Chairman Lee Kyle Allen
Vice Chairman Scott C. Dacey
Commissioner Thomas F. Mark
Commissioner Johnnie Sampson, Jr.
Commissioner Jefferey S. Taylor
Commissioner Steve Tyson

MEMBERS ABSENT:

Commissioner Theron L. McCabe

STAFF PRESENT:

Jack B. Veit III., County Manager
Gene Hodges, Assistant County Manager-Operations/Facilities
Richard F. Hemphill, Assistant County Manager – Finance/Administration
Gwendolyn M. Bryan, Clerk to the Board
Jim Hicks, County Attorney

Following the Pledge of Allegiance, Commissioner Mark moved to approve the minutes of the February 20, 2012 regular session, seconded by Commissioner Sampson and unanimously carried.

CHAIRMAN'S PRIVILEGE

The Chairman yielded to Commissioner Tyson, whose district was hosting the meeting.

Commissioner Tyson thanked Principal Todd Bradley for use of the facility at Brinson Memorial Elementary School. He commented on the history of the school and Commissioner District #7, and identified various areas of the district. He highlighted the significance of Historic James City as one of the oldest, if not the oldest settlement of Freedmen during and after the civil war. Neuse Forest area was, until recent years, mostly agricultural.

PETITIONS OF CITIZENS

Ray Griffin – Spoke to the Board in protest regarding the removal of prayer from the meeting agenda.

Mark Griffin gave a briefing on North Carolina Eastern Region and provided financial statistics on loans and grants from 1994 to the present. He stated that \$1,783,902 has been put in by Craven County, with the County having received \$1,650,000 in loans that have been re-paid, and \$360,302 in grants received. He stated that his efforts since appointment have been toward protection of the airport, amendment of the gap loan policy, and establishment of accountability for maintaining job levels for funded projects.

Pat Gallo, 1711 Tryon Road, spoke to the board regarding prayer and stated that the issue is not going away. Citing several scriptures, he feels that it will need to be addressed head on.

Hal James, addressed the Board concerning religious freedom and spoke on a constitutional study. He expressed the opinion that the non-establishment clause does not apply, and urged the Board to stand up for prayer to Almighty God.

Commissioner Tyson asked to include on the agenda the following citizens:

Jim Casti, National Welfare Officer and *Don McMahon*, Military Order of the Purple Heart, appeared before the Board stating that they would like to buy and place a monument on County property in New Bern. Local donations to the Wounded Warrior fund amounted to \$1.7 M, and they wish to give back to the community. Identical monuments are placed in front of the Havelock Tourist Center and at the Carteret County Courthouse.

County Manager, Jack Veit, asked that he be allowed to meet with Mr. Casti to survey the grounds to determine an appropriate site. This was the consensus of the Board

TAX RELEASES AND REFUNDS

Craven County Tax Administrator, Ronnie Antry, presented the following tax releases and refunds for the Board’s approval. Commissioner Dacey moved for their approval, as presented, seconded by Commissioner Mark and unanimously carried. Mr. Antry stated that most of the tax releases and refunds are for extinguished liens on foreclosure. Taxes are released in exchange for the County or the City taking ownership.

Credits

TAXPAYER NAME	TICKET #	AMOUNT
ADAMS, MICHAEL BRUCE SR DID NOT OWN 1/1/2010	2010-0000224	\$115.64
ADAMS, MICHAEL BRUCE SR DID NOT OWN 1/1/2011	2011-0000231	\$100.97
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2002-0005443	\$245.33
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2003-0005432	\$228.14
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2004-0005480	\$216.38
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2005-0005707	\$217.73
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0005734	\$205.24
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0005852	\$198.31
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2008-0005980	\$185.47
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2009-0006010	\$172.63
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2010-0005609	\$165.02
BRANCH, BEATRICE HRS FORECLOSURE – LIEN EXTINGUISHED	2011-0006170	\$147.51
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2002-0005790	\$105.66

BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2003-0005781	\$98.58
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2004-0005850	\$93.54
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2005-0006077	\$92.99
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0006112	\$87.70
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0006233	\$82.42
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2008-0006375	\$77.14
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2009-0006420	\$71.86
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2010-0005945	\$41.15
BRINSON, BERTHA HRS FORECLOSURE – LIEN EXTINGUISHED	2011-0006561	\$34.33
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2002-0006092	\$102.31
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2003-0006084	\$93.73
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2004-0006157	\$88.93
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2005-0006386	\$91.70
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2006-0006443	\$86.40
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2007-0006565	\$28.99
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2008-0006705	\$27.07
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2009-0006780	\$25.15
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2010-0006276	\$24.49
BROWN, AUGUSTUS HRS FORECLOSURE – LIEN EXTINGUISHED	2011-0006924	\$18.27
CARROLL, CLINT F DID NOT OWN 1/1/2011	2011-0009482	\$27.94

CUMMISKEY, DAVID PATRICK DID NOT OWN 1/1/2011	2011-0013451	\$25.97
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2004-0019210	\$213.99
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2005-0019969	\$215.32
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2006-0020128	\$202.95
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2007-0020687	\$196.14
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2008-0021158	\$183.42
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2009-0021223	\$170.70
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2010-0019380	\$173.95
GATLIN, JANNELL S FORECLOSURE – LIEN EXTINGUISHED	2011-0021419	\$155.72
GODETTE, FRANKLIN D R NOT IN BUSINESS 1/1/2011	2011-0090576	\$39.93
J L S TRUCKING OF CRAVEN COUNTY NOT IN BUSINESS 1/1/2009	2009-0090587	\$29.47
J L S TRUCKING OF CRAVEN COUNTY NOT IN BUSINESS 1/1/2010	2010-0026467	\$21.08
J L S TRUCKING OF CRAVEN COUNTY NOT IN BUSINESS 1/1/2011	2011-0090687	\$19.40
JOHNSON, CARL EDWARD JR & LEBL DID NOT OWN 1/1/2008	2008-0029786	\$144.70
JOHNSON, CARL EDWARD JR & LEBL DID NOT OWN 1/1/2009	2009-0029840	\$130.03
JOHNSON, CARL EDWARD JR & LEBL DID NOT OWN 1/1/2010	2010-0027182	\$93.57
JOHNSON, CARL EDWARD JR & LEBL DID NOT OWN 1/1/2011	2011-0030125	\$88.23
JONES, ROBERT DUVALL JR ET AL FORECLOSURE – LIEN EXTINGUISHED	2011-0031027	\$58.30
KEITH, PAUL D II & CRISTINA L MILITARY EXEMPTION	2011-0031645	\$40.86
KELL, JOSHUA PAUL DID NOT OWN 1/1/2011	2011-0031651	\$16.43
KIRKMAN, MIKE BOAT VALUE CORRECTION	2011-0091890	\$130.47

LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2004-0031427	\$20.01
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2004-0031428	\$56.80
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2005-0032494	\$20.48
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2005-0032495	\$54.58
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2006-0032934	\$19.26
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2006-0032935	\$49.22
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2007-0033868	\$18.06
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2007-0033869	\$43.78
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2008-0034416	\$16.90
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2008-0034417	\$62.87
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2008-0090195	\$5.73
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2009-0034492	\$15.70
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2010-0031416	\$63.30
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2011-0034964	\$53.96
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2002-0030713	\$22.24
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2002-0030714	\$70.67
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2003-0030931	\$21.09
LITTLETON, BEN G FORECLOSURE – LIEN EXTINGUISHED	2003-0030932	\$62.59
QUINERLY, LINDA DID NOT OWN 1/1/2011	2011-0047089	\$270.21
ROMERO, RUTH DID NOT OWN 1/1/2011	2011-0049385	\$44.02

STALLINGS, JAMES N JR RECYCLE BILLED IN ERROR	2011-0091550	\$36.99
VANES, DANIEL S & MINDY A MILITARY EXEMPTION	2011-0058895	\$36
WARD, LYDIA RENEE WETHERINGTON DWELLING UNOCCUPIED SINCE 2001	2011-0059877	\$36.99
WHITFORD, EDWARD EARL DWELLING UNOCCUPIED SINCE 2005	2011-0062004	\$36.00
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2002-0054324	\$46.48
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2003-0054690	\$43.63
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2004-0055245	\$41.35
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2005-0056698	\$41.83
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2006-0057660	\$39.42
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2007-0059408	\$37.02
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2008-0060070	\$34.62
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2009-0061101	\$32.22
WHITFORD, JAMES B FORECLOSURE – LIEN EXTINGUISHED	2010-0055827	\$68.01
	87 – CREDIT MEMO (S)	\$7,435.74
<i>Refunds</i>		
ANDERSON, ERNEST W JR & MARIA DID NOT OWN 1/1/2010	2010-0001108	\$40.26
ANDERSON, ERNEST W JR & MARIA DID NOT OWN 1/1/2011	2011-0001197	\$40.26
DIXON, GRAHAM W & PATRICIA L INTEREST CHARGED AND PAID IN ERROR	2011-0015546	\$6.44
DIXON, GRAHAM W & PATRICIA L INTEREST CHARGED AND PAID IN ERROR	2011-0015548	\$10.73
LAWRENCE, MARGARET DWELLING DID NOT EXIST 1/1/2011	2011-0033797	\$225.20
VANES, DANIEL S & MINDY A MILITARY EXEMPTION	2011-0058895	\$48.91
	6 – REFUND (S)	\$371.80

RESOLUTION RECOGNIZING THE MILITARY FAMILY OF THE QUARTER

Commissioner Mark moved to adopt the following resolution recognizing Master Sergeant Kevin Harrington and his family as Military Family of the Quarter, seconded by Commissioner Sampson and unanimously carried. Commissioner Mark will attend a luncheon in their honor where he will present the resolution.

RESOLUTION RECOGNIZING THE FAMILY OF MASTER SERGEANT KEVIN HARRINGTON AS MILITARY FAMILY OF THE QUARTER

WHEREAS, Master Sergeant Kevin Harrington, a native of Bay City, Michigan, arrived at Marine Corps Air Station Cherry Point in 2007 after 15 years of service in various posts in the United States and overseas; and

WHEREAS, in 2008 after returning from an eight month deployment to Iraq, MSgt Harrington transferred to Camp Lejeune and was assigned to Marine Logistics Group as the Group food technician; and

WHEREAS, in 2010, after serving in Afghanistan as the Marine Expeditionary Brigade food technician, he returned to Cherry Point to serve as the Marine Wing Support Squadron 274 Staff non commissioned officer in charge of food service, as well as his current duties as mess hall liaison; and

WHEREAS, MSgt Harrington, his wife Christina, along with their children, Kevin and Kendall, volunteer many hours supporting the homeless shelter and the local battle of the bands fund raiser at Havelock High School, as well as contributing their time to countless community church based events.

NOW, THEREFORE, BE IT RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS recognizes the family of Master Sergeant Kevin Harrington for their dedication and commitment to the lives of so many in their community.

BE IT FURTHER RESOLVED THAT THE CRAVEN COUNTY BOARD OF COMMISSIONERS congratulates them on being selected Military Family of the Quarter.

Adopted this 5th day of March, 2012.

PLANNING DEPARTMENT MATTERS

Building Code Update

Planning Director, Don Baumgardner, and Chief Building Inspector, Shelton Toler, provided the Board with an update on the March 1, 2012 Building Code changes. Mr. Toler stated that the department stayed open later on February 29 and notified homebuilders of being open until midnight. He stated that they received approximately 100 applications (skeleton applications) of anticipated building before June 1, and will apply the old code. He said that they had just received a clean electronic copy of the new code; however it still cannot be printed. The department is working with the City of New Bern for consistency in the application of the new rules, and by doing things in this manner they have two months of transition time. Commissioner Tyson suggested opening collaboration with the cities of Havelock and Bridgeton also.

Road Addition Requests

The Board received two road addition resolutions requesting that Willis Landing Road and Blount Brimage Drive be turned over to the State of North Carolina for maintenance. Commissioner Sampson moved to approve the standard SR2 Road Addition Resolutions, adding Willis Landing Road and Blount Brimage Drive to the State of North Carolina for maintenance, as requested, seconded by Commissioner Tyson and unanimously carried.

Subdivision for Approval

On February 23, 2012 the Planning Board met and recommended the following subdivision for approval.

Vernice Fulcher Hoyle – Final: The property, owned by Vernice Fulcher Hoyle and surveyed by Jerry Ryan, PLS, is located within Twp. 3 off of Dover Fort Barnwell Road (SR1262), Parcel ID 3-040-018. The subdivision contains 1 lot on 3.002 acres and is proposed to be served by Craven County water and an individual septic tank. Commissioner Tyson moved for its approval, as recommended, seconded by Commissioner Mark and unanimously carried.

BUDGET AMENDMENTS

Assistant County Manager for Finance and Administration, Rick Hemphill, presented the following budget amendments for the Board’s approval. Commissioner Sampson moved for their approval, as presented, seconded by Commissioner Tyson and unanimously carried in a roll call vote.

Budget Amendments

DSS 7291 Mandated

REVENUES	AMOUNT	EXPENDITURES	AMOUNT
101-7291-349-42-00 Share the Warmth	\$174.00	101-7291-450-23-42 Share the Warmth	\$174.00
TOTAL	\$174.00	TOTAL	\$174.00

Justification: Additional allocation has been received for the Share the Warmth Program. Funds are 100%, no County match required.

Health/Risk Reduction/Refugee Health

101-6704-348-47-00 State Grant	\$1,455.00	101-6704-440-40-00 Contract Services	\$1,455.00
TOTAL	\$1,455.00	TOTAL	\$1,455.00

Justification: Additional state funding will continue to pay for interpretation using Telelanguage. Funds must be spent by 5/31/12.

Health/Family Planning

101-6400-349-12-00 Family Planning – State	\$169.00	101-6400-440-25-00 Travel/Training	\$169.00
TOTAL	\$169.00	TOTAL	\$169.00

Justification: One time only funds have been made available to assist Craven County Health Department with training costs associated with required infection control training in the amount of \$169. Funds must be spent by March 31st.

Cooperative Extension

101-4211-346-07-00 CarolinaEast found gr	\$6,000.00	101-4211-420-32-40 Other Supplies	\$6,000.00
TOTAL	\$6,000.00	TOTAL	\$6,000.00

Justification: Budget \$6,000 grant from CarolinaEast Foundation. These funds will be used to provide supplies for the Expanded Food and Nutrition Education Program (EFNEP).

Inspections

101-2401-355-14-00	\$4,550.00	101-2401-410-31-01	\$5,350.00
Mech Inspect Fee		Reg Vehicle Exp	
101-2401-355-01-0	\$ 800.00		
Electrical Inspect Fee			
TOTAL	\$5,350.00	TOTAL	\$5,350.00

Justification: Estimated amount of money needed for gas for the inspection department vehicles in order to perform inspections for the remainder of the fiscal year.

EMS

101-2303-349-01-00	\$10,000.00	101-2303-410-24-00	\$10,000.00
State Rev/LEPC		Meeting Exp	
TOTAL	\$10,000.00	TOTAL	\$10,000.00

Justification: Budget \$10,000 Hazardous Materials Emergency Preparedness (HMEP) grant. The Local Emergency Planning Committee (LEPC) will use these funds for the 2012 Business and Industry Conference.

Auditing Contract

Mr. Hemphill asked that the Board approve the annual contract with McGladrey & Pullen in accordance with the RFP approved last year and to authorize the Chairman’s signature. Commissioner Dacey moved to approve the contract and authorize the Chairman’s signature, seconded by Commissioner Mark and unanimously carried.

APPOINTMENTS

Clean Sweep Committee

It was the consensus of the Board to defer these appointments.

Industrial Facilities Pollution Control Financing Authority

It was the consensus of the Board that these appointments be deferred.

Board of Equalization & Review

It was the consensus of the Board that these appointments be deferred.

Craven Aging Planning Board

Chairman Allen nominated Ms. Dean Roberts for appointment to the expiring term of Linda LeDrew on the Craven Aging Planning Board. There being no additional nominees, Ms. Roberts was appointed by acclamation.

Upcoming Appointments

The Board was apprised of the following upcoming appointments:

April

- Voluntary Agricultural District
- Zoning Board of Adjustment

MayCarolinaEast Medical Center
Eastern Carolina Workforce Development Board

Commissioner Taylor commented that he has a name to put forward for a vacancy on the Craven Pamlico Carteret Regional Library Board but he will defer.

COUNTY ATTORNEY'S REPORT*Bay Bush Road*

County Attorney, Jim Hicks, announced that he received an offer to purchase Bay Bush Road. There were no upset bids. Commissioner Tyson moved to approve acceptance of the offer and proceed to closing, seconded by Commissioner Sampson.

High School Land Purchase

Mr. Hicks reported on the contract to purchase a 51 acre tract of land for a new high school. During due diligence, issues were encountered relative to infrastructure. The projected water and sewer costs would result in an additional \$485,000 in utility infrastructure costs.

COUNTY MANAGER'S REPORT*Turf Club Property*

County Manager, Jack Veit, recommend rescinding its offer for the Turf Club property and go back and look at all options.

Mr. Hicks asked that the Board rescind the contract, as a result of due diligence, based on the terms of the contract. Commissioner Taylor moved to rescind the contract, as recommended, seconded by Commissioner Mark and unanimously carried.

COMMISSIONERS' REPORTS

Commissioner Taylor commended the Tuscarora-Rhems community for their 300th year kick-off event and announced an upcoming blood drive at Greenbrier.

Citing an earlier reference to the U.S. Constitution by a petitioner, *Commissioner Tyson* commented that Richard Dobbs Spaight, a signer of the Constitution, is buried in his district.

Commissioner Sampson commented on rising gas and commodity prices, and the suffering of citizens. He noted restored slave quarters in the James City Community that are available for tours, as well as an old cemetery. He advocated bonding together and taking the prayer issue to the Supreme Court.

Commissioner Dacey inquired of the options on the prayer issue. He stated that 100% of citizens may not agree with putting the County's treasury in jeopardy by forcing the issue, and asked if citizens would band together to fund a challenge. He commented on his participation in a conference call with the lobbying group hired to mount a defense for MCAS Cherry Point during the upcoming BRAC.

Chairman Allen thanked Sue Book for the article in the *Sun Journal* on his leap year birthday.

CLOSED SESSION

The Board was requested to go into closed session pursuant to NCGS 143-318.11(a)(5) to discuss material terms of potential contract to acquire property for a County water system.

At 8:40 p.m., after a five minute recess, Commissioner Sampson moved to go into closed session, seconded by Commissioner Mark.

At 9:18 p.m. Commissioner Dacey moved to return to regular session, seconded by Commissioner Sampson.

Attorney Jim Hicks announced that there was no action taken in closed session, but discussion of an offer to acquire approximately 105 acres from the Kern Company for a new County water system.

Commissioner Tyson moved to enter into a contract to acquire approximately 10.5 acres from Kern Company at \$39,750 per acre, subject to a 120-day due diligence period, and a survey to determine the exact acreage and location. Commissioner Mark seconded the motion, which carried unanimously.

At 9:20 p.m. the Board adjourned.

Chairman Lee Kyle Allen
Craven County Board of Commissioners

Gwendolyn M. Bryan
Clerk to the Board